

May 28, 2019

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Promoting Telehealth in Rural America, WC Docket No. 17-310
Notice of *Ex Parte* Communication

Dear Ms. Dortch:

On Thursday, May 23, 2019, on behalf of Alaska Communications, Richard Cameron of Cameron Law & Policy LLC, and I met with Preston Wise of the office of Chairman Pai regarding the Commission's pending rulemaking in the above-captioned rulemaking. The discussion primarily focused on the reform proposals previously filed in this docket by Alaska Communications, including establishing an administratively manageable set of guidelines for the rural rate and urban rate under the Telecom Program, eliminating cost-based justifications for competitively bid rates, codifying in the Commission's rules specific procedures governing USAC's processing of funding requests, and increasing the overall budget for the rural health care (RHC) program.¹

Our discussion also focused on the problem of *pro rata* reductions in the RHC Telecommunications Program support in years in which demand exceeds the Commission's budget cap.² Alaska Communications respectfully urges the Commission to fulfill the mandate of the Communications Act and fully fund all qualifying requests for support for the rural-urban

¹ Letter from Karen Brinkmann, Counsel to Alaska Communications, to Marlene H. Dortch, FCC Secretary, in WC Docket No. 17-310 (filed May 7, 2017); Comments of Alaska Communications in WC Docket No. 17-310 (filed Feb. 2, 2018); Reply Comments of Alaska Communications in WC Docket No. 17-310 (filed March 5, 2018); Supplemental Comment of Alaska Communications in WC Docket No. 17-310 (filed Jan. 30, 2019); Supplemental Reply Comment of Alaska Communications in WC Docket No. 17-310 (filed Feb. 13, 2019); Letter from Karen Brinkmann, Counsel to Alaska Communications, to Marlene H. Dortch, FCC Secretary, in WC Docket Nos. 02-60, 17-310 (filed March 13, 2019); Letter from Karen Brinkmann, Counsel to Alaska Communications, to Marlene H. Dortch, FCC Secretary, in WC Docket No. 17-310 (filed May 20, 2019).

² 47 C.F.R. §54.675(f).

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rate difference under the Telecommunications Program.³ If the program budget is correctly sized to reflect realistic demand projections, and the rules are reformed to provide greater certainty as to whether and when funding commitments will be processed, pro-ration of Telecommunications Program support should cease to be a problem that drives rural HCPs from the program.

Finally, Alaska Communications urged the Commission to direct USAC to extend the Funding Year 2019 filing window by 30 days for all applicants, not only for those that are affected by the Commission's recent decision to fund only the first year of multi-year Funding Year 2018 funding requests under Healthcare Connect Fund including a grant of evergreen status to qualifying contracts.⁴ Alaska Communications is aware of some healthcare providers whose Form 465 or Form 461 requests for services were timely filed but posted by USAC fewer than 28 days before May 31, 2019, meaning that the Allowable Contract Signature Date will not pass until the funding window closes, absent action from the Commission.⁵

Alaska Communications applauds the work of the Commission to date in bringing these issues to resolution, and urges the Chairman to press forward in the coming weeks with an order updating the rules governing the RHC program in time for implementation in the next funding year.

Please direct any questions concerning this matter to me.

Respectfully submitted,



Karen Brinkmann

Counsel to Alaska Communications

cc: Preston Wise

³ See 47 U.S.C. §254(h)(1)(A); 47 C.F.R. §54.602(a).

⁴ *Supra*, note 4.

⁵ See, e.g., Hope Community Resources, HCP No. 67148, Form 465 No. 43195417 (electronically signed on May 2, 2019 by the healthcare provider, but not posted until May 20, 2019 by USAC, producing an Allowable Contract Signature Date of June 18, 2019).